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E.O. 12958: DECL: 07/24/2016
TAGS: [PHUM](#) [PGOV](#) [NI](#)
SUBJECT: SEDITION TRIAL OF JOURNALISTS DELAYED UNTIL
OCTOBER 10

REF: A. ABUJA 01547

[1](#)B. ABUJA 01660

Classified By: Political Counselor Russell J. Hanks for Reasons 1.4 (b and d)

[1](#)1. (U) The sedition trial of journalists Gbenga Aruleba and Rotimi Durojaiye opened July 25. They stand accused of harming the Nigerian state by insulting the President when they reported that he had purchased a second hand airplane. Defense attorneys challenged the constitutionality of the sedition law, and the prosecutor asked for a postponement saying that he had only received notice of the constitutional challenge earlier that morning. Defense attorneys disputed his claim, but the matter was deferred until October 10.

[1](#)2. (C) Poloff attended the hearing and spoke to both of the accused persons. Poloff also spoke to Mr. Emmanuel Onwubiko of the National Human Rights Commission. Before the hearing began, Onwubiko speculated that the government was looking for a way to drop the charges since they were being embarrassed by using an old law to try a minor offense.

[1](#)3. (U) Some Nigerian media outlets now say that Aruleba and Durojaiye were factually incorrect in their initial reporting. The cover story of Tell magazine's July 31 issue says that the presidential airplane was purchased new directly from Boeing. According to the article, the confusion arose because Obasanjo had previously requested permission to purchase a used airplane from the Sultan of Brunei. That request was not funded by the legislature, and the Boeing purchase stemmed from funds the legislature later did approve for a new jet.

[1](#)4. (C) The courtroom atmosphere July 25 was different from the bail hearing a month ago. While the defendants reported that they had not been physically harassed, they said that they are being followed by State Security Service (SSS) officers. Cars are stationed outside their homes, and they are receiving intimidating calls late at night. Fewer people attended the July 25 hearing, and cell phone signals were blocked. There were two SSS agents posted outside the courtroom monitoring those who entered, although they did not prevent anyone from doing so. A third SSS agent later sat inside the courtroom.

[1](#)5. (C) COMMENT. Aruleba and Durojaiye have not been physically harmed and there is hope that the government will find a face-saving way to drop the charges against them. Unfortunately, a chill atmosphere continues to surround this case. On July 24, two phone calls placed by PolOff to a previously helpful contact in the Nigeria Union of Journalists were abruptly terminated. While that person later replied to a text message, he did not want to be seen

talking to PolOff after the hearing. Mac Amarere, station manager of Africa Independent Television (where Aruleba works) also declined to answer a phone call. He had previously been communicative, but was not present at the July 25 hearing. Combined with the cell phone blocking and the presence of SSS agents at the trial, the picture was one of intimidation. Post will continue to monitor the situation and will provide updates as appropriate. END COMMENT.
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